CLAIM AMENDMENTS

- 1. (previously presented) An isolated genomic nucleic acid molecule, said nucleic acid molecule obtainable from human chromosome 7 consisting of a nucleotide sequence selected from the group consisting of:
- (a) a nucleic acid molecule of SEQ ID NO:8 which includes sequence encoding a polypeptide that has human adipocyte enhancer binding protein 1 activity;
- (b) a fragment of (a) comprising at least nucleotides 1301-10893 of SEQ ID NO:8 which encodes a polypeptide having human adipocyte enhancer binding protein 1 activity and
 - (c) a nucleic acid molecule which is a complement of the polynucleotides specified in (a)-(b).
- 2. (previously presented) A nucleic acid construct comprising the nucleic acid molecule of claim 1.
- 3. (previously presented) An expression vector comprising the nucleic acid molecule of claim 1.
- 4. (original) A recombinant host cell comprising the nucleic acid molecule of claim 1.

Claim 5 (canceled)

- 6. (previously presented) A method for obtaining human adipocyte enhancer binding protein 1 comprising:
- (a) culturing the recombinant host cell of claim 4 under conditions that provide for the expression of said human adipocyte enhancer binding protein 1 and
 - (b) recovering said expressed human adipocyte enhancer binding protein 1.

Claim 7 (canceled)

- 8. (currently amended) An isolated nucleic acid molecule consisting of a fragment of the nucleic acid molecule of claim 1, said fragment comprising sequence of at least 20 contiguous nucleotides identical towithin an intron region of SEQ ID NO:8, or its complementary sequence.
- 9. (canceled)
- 10. (previously presented) A composition comprising the nucleic acid molecule of claim 1 and a carrier.
- 11. (previously presented) A composition comprising the nucleic acid molecule of claim 8 and a carrier.

Claims 12-13 (canceled)

- 14. (previously presented) A kit comprising one or more nucleic acid molecules of claim 8.
- 15. (previously presented) The kit according to claim 14, in which one or more of the nucleic acid molecules are optionally labeled with a detectable substance.

Claims 16-24 (canceled)

- 25. (withdrawn-currently amended) A method of identifying a nucleotide sequence variant of SEQ ID NO: 8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence comprising
- (a) isolating genomic DNA from a subject and
- (b) determining the presence or absence of a variant in said genomic DNA using a nucleic acid molecule comprising at least 20 contiguous nucleotides of an intron region of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.

- 26. (withdrawn-currently amended) A method for detecting the presence or absence of a non-coding nucleic acid sequence specific to the nucleic acid molecule of claim 1 in a sample, said method comprising contacting a sample with a nucleic acid molecule comprising at least 20 contiguous nucleotides of an intron region of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.
- 27. (withdrawn-currently amended) A method of identifying a nucleotide sequence variant of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence comprising
 - (a) isolating genomic DNA from a subject, and
- (b) determining the presence or absence of a nucleotide sequence variation in said genomic DNA by comparing the nucleotide acid sequence of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity with the nucleotide sequence of the isolated genomic DNA of (a) and establishing if and where a difference occurs between the two nucleic acid sequences thereby identifying a nucleotide sequence variant of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.
- 28. (withdrawn-currently amended) The method of claim 27, wherein the presence or absence of a nucleotide sequence variation is determined in a 5'-noncoding region, 3'-noncoding region or intron region of SEQ ID NO: 8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.
- 29. (withdrawn-currently amended) A method of detecting the presence or absence of a polynucleotide having the nucleic acid sequence set-forth-depicted in SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity or its complementary sequence in a sample, said method comprising

- (a) contacting the sample with a nucleic acid molecule comprising at least 20 contiguous nucleotides of an intron region of SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence under stringent hybridization conditions and
- (b) determining whether the nucleic acid molecule in (a) binds to a polynucleotide in the sample, wherein binding of a polynucleotide of the sample to the nucleic acid molecule of (a) detects the presence of a polynucleotide comprising having the nucleic acid sequence depicted in SEQ ID NO:8 which encodes a polypeptide that has human adipocyte enhancer binding protein 1 activity, or its complementary sequence.
- 30. (previously presented) The isolated nucleic acid molecule of claim 8, wherein said intron region is selected from the group consisting of the sequence of nucleotides between positions 9015-10,641, 8122-8672, 7932-8049, 7754-7859, 7554-7628, 6662-7475, 6452-6583, 6273-6375, 5456-6218, 5353054345353-5434, 4834-5211, 4647-4749, 4407-4502, 4053-4319, 3707-3929, 3418-3508, 3001-3237, 2570-2650, 2305-2425 and 1967-2208 of SEQ ID NO:8, or its complementary sequence.
- 31. (currently amended) An isolated nucleic acid molecule consisting of a fragment of the nucleic acid molecule of claim 1, said fragment comprising at least 20 contiguous nucleotides of an intron region of SEQ ID NO:8 or its complementary sequence, wherein said intron region. The isolated nucleic acid sequence according to claim 8, wherein the intron region is the sequence of nucleotides between positions 9015-10,641 of SEQ ID NO:8, or it complementary sequence.
- 32. (canceled)